

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

EAST BROADWAY MALL,

Debtor.

Chapter 11

Case No. 19-12280 (DSJ)

**ORDER DENYING MOTION OF BANK OF HOPE
FOR APPROVAL OF DISCLOSURE STATEMENT**

WHEREAS, on March 23, 2023, the Court heard argument on the motion of Bank of Hope (ECF Nos. 132, 133, 134, 135) for an order approving its proposed disclosure statement, which, following a series of adjournments of the motion, had been modified twice, after which Bank of Hope submitted a status update letter on March 3, 2023 (ECF No. 147), stating that Bank of Hope had received expressions of interest from potential investors and “intends to provide a further update prior to the Hearing” that was scheduled for March 23, 2023; and

WHEREAS, Bank of Hope did not file a further update before the March 23 hearing; and

WHEREAS, the Court considered all submissions and all prior proceedings herein, as well as the statements of all interested parties who appeared at the March 23, 2023 hearing; and

WHEREAS, the Court rendered an oral ruling on the record, the contents of which are incorporated herein. Accordingly, it is

HEREBY ORDERED THAT:

1. The Bank of Hope’s motion for approval of its disclosure statement, either in its original or modified form, is hereby DENIED for the reasons stated on the record.
2. Any party wishing to propose a plan of reorganization or liquidation shall file a motion for approval of a disclosure statement along with a copy of a proposed plan no later than

April 28, 2023. If no such motion and plan are filed by that date, the Court will consider whether the case should be dismissed or converted pursuant to 11 U.S.C. §§ 1112(b)(1) and 1112(b)(4)(J).

3. The time of the Office of the United States Trustee to reinstate a prior motion to dismiss or convert the case or for other relief is hereby extended to **May 5, 2023**. The Office of the United States Trustee may reinstate its prior motion by filing a simple notice referencing the docket number(s) of its prior motion papers, and may supplement or modify its earlier motion papers in the submission by which it reinstates that motion.

Dated: New York, New York
March 23, 2023

s/ David S. Jones
Honorable David S. Jones
United States Bankruptcy Judge